



Loudoun County, Virginia
www.loudoun.gov

Department of Building and Development
Zoning Administration / MSC# 60
1 Harrison Street, S.E., P.O. Box 7000, Leesburg, VA 20177-7000
Administration: 703-777-0397 • Fax: 703-771-5215

December 15, 2009

Zebra Ventures LLC
c/o DuPont Fabros Development LLC
Attn: Ragheb Zeineddine, Director of Construction
1212 New York Avenue NW, Suite 900
Washington, DC 20005

RE: Request for Installation of Traffic Signalization; Worldcom, ZMAP 1998-0003

Dear Mr. Zeineddine:

I am writing on behalf of Loudoun County to request the installation of a traffic signal at site entrance "M" along Route 625 (Waxpool Road) as shown on the approved concept development plan. The traffic signal has been warranted by the Virginia Department of Transportation and is required to be installed by the property owner of record, pursuant to the proffer statement for Worldcom, ZMAP 1998-0003.

The zoning map amendment for Worldcom, ZMAP 1998-0003, was approved by the Board of Supervisors on June 17, 1998 subject to the proffer statement dated June 17, 1998 and the concept development plan dated April 24, 1998, revised through June 5, 1998 by Dewberry and Davis.

Proffer II.D. sets forth the requirements for installation of proffered signals. Proffer II.D.(2) requires the owner of land fronting on the intersection where the signal is warranted to pay for the cost of the warranted signal. The text of the relevant proffers is as follows:

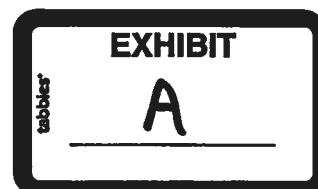
II. TRANSPORTATION PROFFERS

D. SIGNALIZATION

(1) *Proffered Signals. The Owner shall install signalization at such time as warranted by VDOT criteria (i.e., the Manual on Uniform Traffic Control Devices) at the intersections of:*

- (a) Route 625/Site Entrance C
- (b) Route 625 Realigned/Site Entrance D
- (c) Route 607/Site Entrances E-K
- (d) Route 625/Site Entrances M-N
- (e) Route 625/Site Entrance L; provided that the Owner shall not be

obligated to contribute more than fifty percent (50%) of the cost of signalization of this intersection if the landowner on the opposite side of Waxpool Road constructs a public street from such property which connects with this entrance.



ZCOR-2009-0265

(f) Route 625/Panorama Parkway

(2) *If at the time the necessary warrants for any of the foregoing traffic signals are met WorldCom or a wholly-owned subsidiary is the owner of all land fronting on the intersection where the signal is warranted, WorldCom shall be responsible for paying for the cost of such signal. The Protective Covenants, to be established by the Owner at the time of sale of any land within the Property to an entity unrelated to WorldCom, shall provide for a procedure and formula for the collection and payment of future signalization costs from such unrelated entities.*

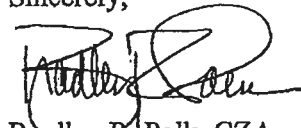
The Virginia Department of Transportation has warranted a traffic signal to be installed on Route 625 (Waxpool Road) at the Worldcom site entrance access point designated as M on the approved Concept Development Plan. Please refer to the enclosed a copy of a Memorandum from Arsalan (Alex) Faghri with VDOT Traffic Engineering dated March 10, 2009, indicating that a fully operational traffic signal is warranted. Pursuant to Worldcom Proffer II.D.1.d, Zebra Ventures LLC must commence installation of the traffic signal at Route 625 (Waxpool Road) and site entrance M. To begin this process, prepare a signal plan and submit it to VDOT Traffic Engineering for review.

This determination applies solely to the referenced property and is not binding upon the County, the Zoning Administrator or any other official with respect to any other property. No person may rely upon this determination with respect to any property other than the referenced property.

Please be advised that any person aggrieved, or any officer, department or agency of Loudoun County affected by an order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the provisions of the *Zoning Ordinance* may appeal said decision within thirty days to the Board of Supervisors in strict accordance with Section 15.2-2301 of the *Code of Virginia*. This decision is final and unappealable if not appealed within 30 days.

If you have any questions concerning this correspondence, please contact me via email (Bradley.Polk@loudoun.gov) or you may call me at 703-777-0411.

Sincerely,



Bradley R. Polk, CZA
Proffer Auditor

Enclosures: Memorandum dated 3/10/2009 from VDOT Traffic Engineering
Worldcom/Northern Virginia Campus Concept Development Plan

cc via email: Stevens Miller, Dulles District Supervisor
Dan Schardein, Zoning Administrator
Susan Glass, Proffer Manager
Terrie Laycock, Director, Office of Transportation Services
Chuck Acker, OTS Traffic Control Engineer
James C. Zeller, P.E., Virginia Department of Transportation
Arsalan (Alex) Faghri, VDOT Traffic Engineering

Traffic Engineering



Memorandum

To: Kevin Nelson

From: Arsalan (Alex) Faghri

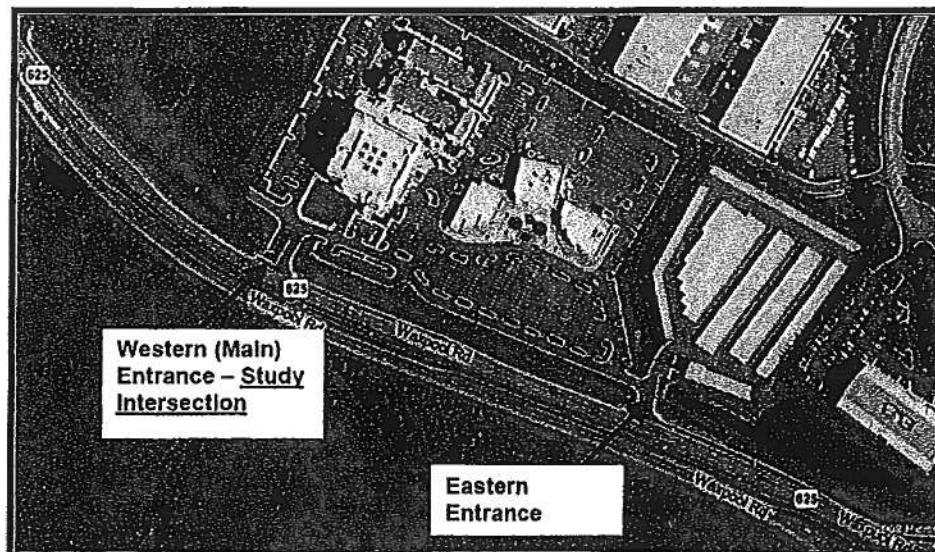
CC: Jim R. Turner, P.E.

Date: 3/10/2009

Re: RUID 10851 – Waxpool Rd and Waxpool Road Center Main Entrance

We have reviewed third submission traffic signal warrant study associated with the subject intersection. The intersection is located west of the intersection of Loudoun County Pkwy and Waxpool Road and serves as the western most entrance to Waxpool Road Center.

We agree with the results of the study that a fully operational traffic signal is currently warranted **pending** conversion of the eastern most entrance to the site to right-in right-out operation, and full closure of the median break on Waxpool Road across from the eastern entrance (see picture below).



We have considered the study as "**review complete.**" We are retaining one copy for our records and returning one copy to you via interoffice mail. Please feel free to call if you have any question.

